

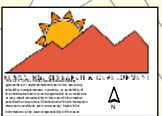
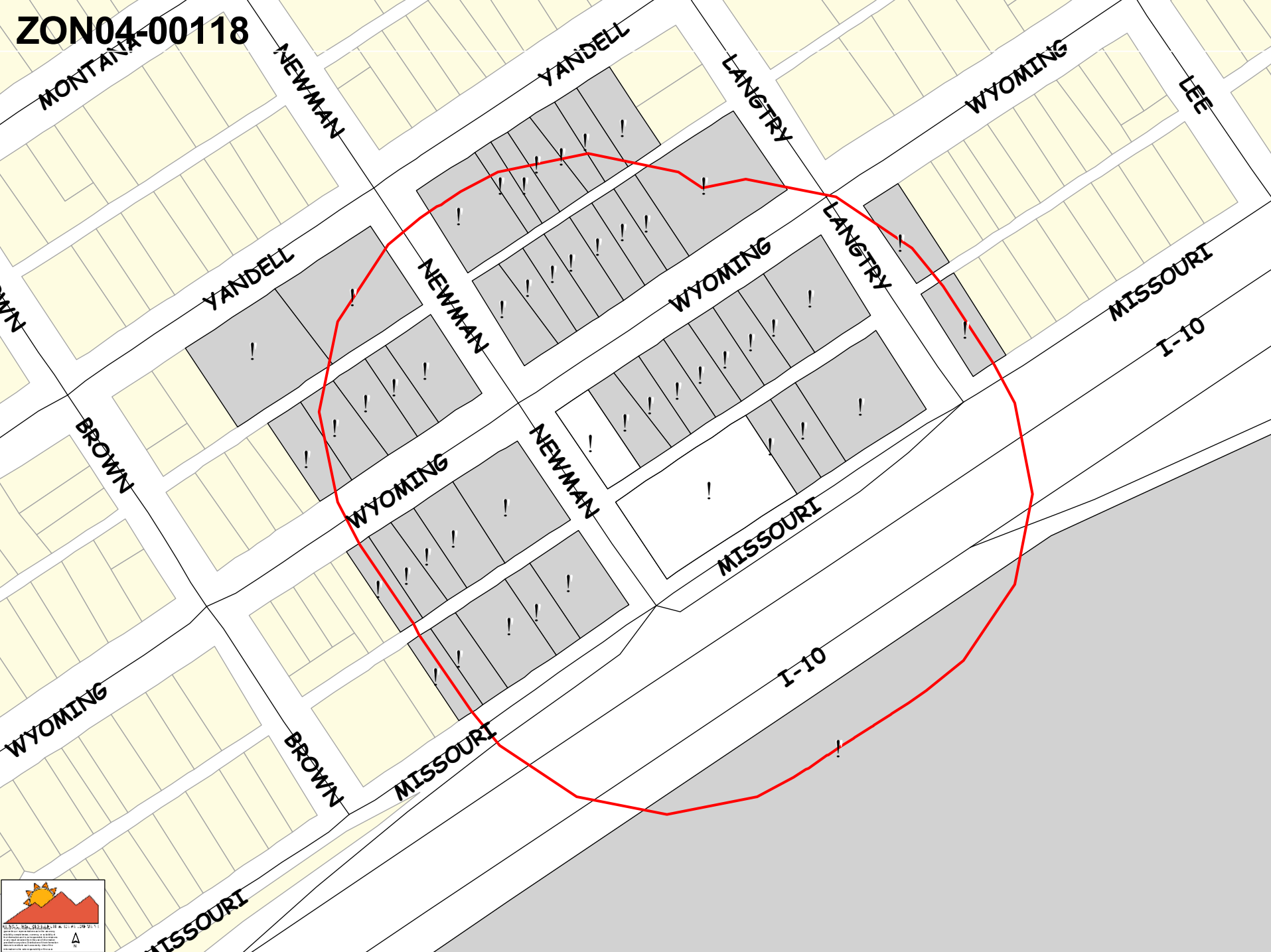
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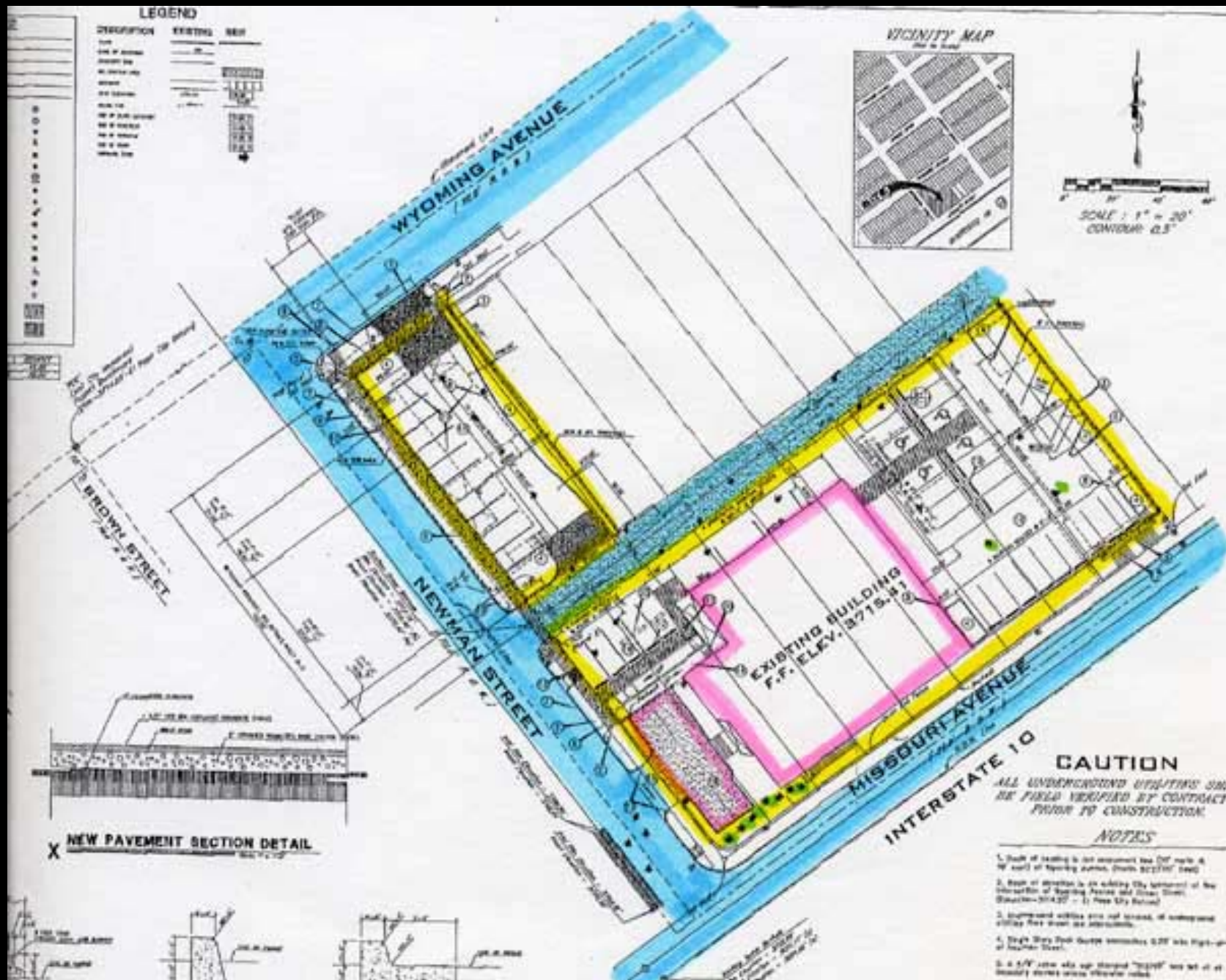
Parcel 2



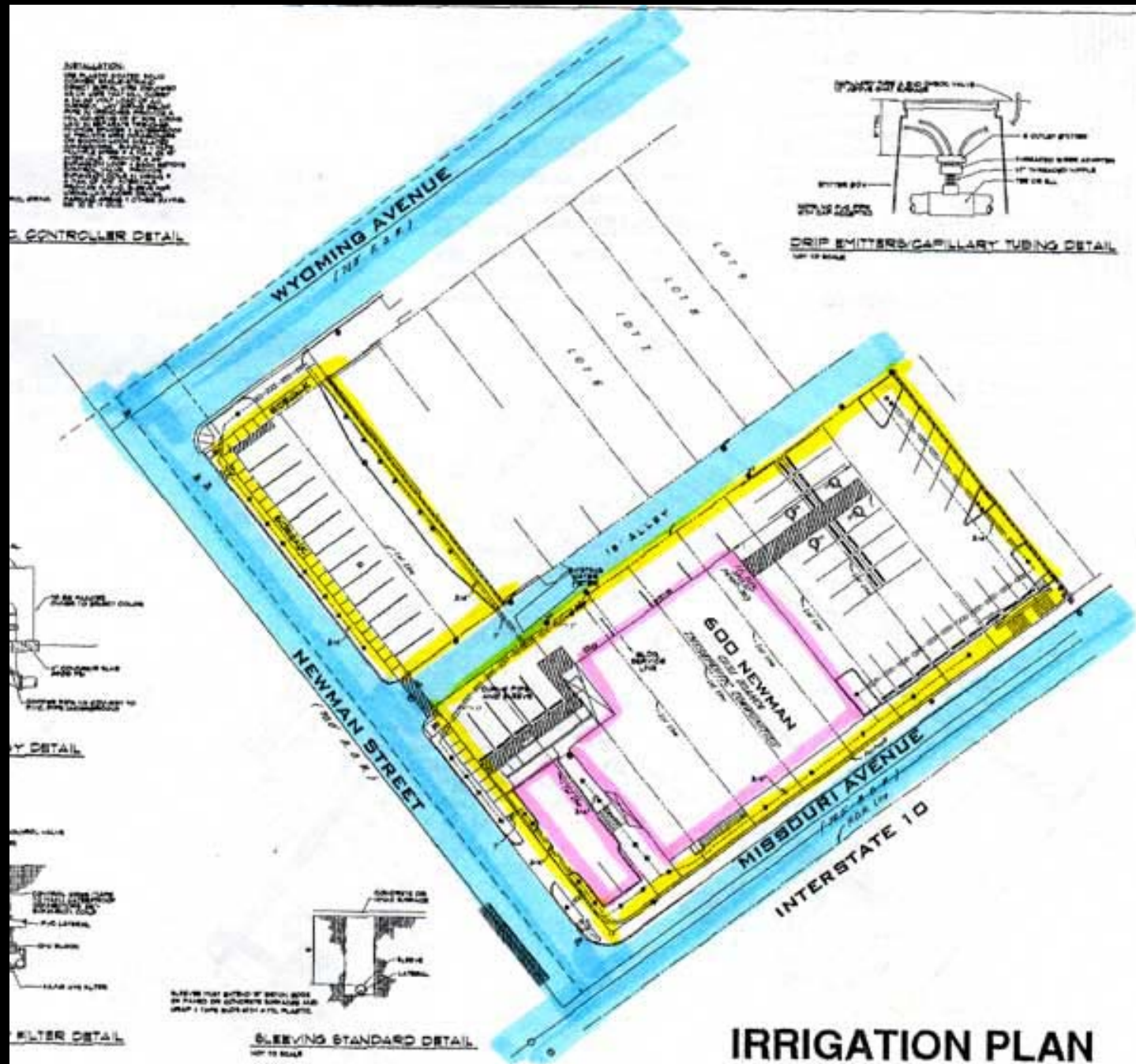
ZON04-00118

ZON04-00118





LANDSCAPE PLAN





ZON04-00118



ZON04-00118





ZON04-00118



ZON04-00118





ZON04-00118







YANDELL

NEWMAN

LANGTRY

WYOMING

BROWN

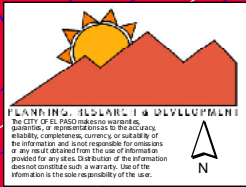
Parcel 1

Parcel 2

C-4

M-1

ZON04-00118



"RETAIN FOR SUBSEQUENT COUNCIL PUBLIC HEARING"



**CITY OF EL PASO, TEXAS
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**

MEMORANDUM

TO: The Honorable Mayor and City Council
Joyce Wilson, City Manager
Patricia D. Adauto, Deputy City Manager
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Jorge E. Rousselin, Urban Planner *JE R*

SUBJECT: Council Agenda Items Introductions (Ordinances)
Introduction: October 12, 2004
Public Hearing: November 2, 2004

DATE: October 7, 2004

The following items have been scheduled for City Council action as noted above. Relevant information is attached. If you have any questions, please contact me at 541-4723.

SEE ATTACHED ITEMS FOR INTRODUCTION AND SUBSEQUESNT REGULAR COUNCIL MEETING.

Office Use Only		
Mayor's Office (4 copies):	date: <u>10-07-04</u>	time: <u>10:46</u> by: <u>[Signature]</u>
Representative District 1:	date: _____	time: _____ by: _____
Representative District 2: ✓	date: _____	time: _____ by: _____
Representative District 3: ✓	date: _____	time: _____ by: _____
Representative District 4:	date: <u>10-8-04</u>	time: <u>10:48</u> by: <u>[Signature]</u>
Representative District 5:	date: _____	time: _____ by: _____
Representative District 6:	date: <u>10-8-04</u>	time: <u>10:46</u> by: <u>[Signature]</u>
Representative District 7:	date: <u>10-8-04</u>	time: <u>10:46</u> by: <u>[Signature]</u>
Representative District 8:	date: <u>10-8-04</u>	time: <u>10:43</u> by: <u>[Signature]</u>
City Attorney's Office: (3 copies):	date: <u>10-08-04</u>	time: <u>10:41</u> by: <u>[Signature]</u>

C: George Sarmiento, Planning Director; Rudy Valdez, Chief Urban Planner; Esther Guerrero, Planning Tech.; Lisa A. Elizondo, City Attorney; Theresa Cullen-Garney, Deputy City Atty.; Matt Watson, Assistant City Atty.

1. An Ordinance granting Special Permit No. ZON04-00118 to satisfy parking requirements for Parcel II described as Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, and the Westerly 12.5 Feet of Lot 26, Block 39, Franklin Heights Addition, El Paso, El Paso County, Texas; by allowing off-site off-street parking on Parcel I, described as Lots 1 and 2, Block 39, Franklin Heights Addition, El Paso, El Paso County, Texas (1400 Wyoming Avenue). Pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mark Tomlin.
(District 8)



PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: October 7, 2004

TO: The Honorable Mayor and City Council
Joyce Wilson, City Manager
Patricia D. Adauto, Deputy City Manager
Laura Uribarri, Executive Assistant to the Mayor
Adrian Ocegueda, Executive Assistant to the Mayor

FROM: Jorge E. Rousselin, Urban Planner *JE R*

SUBJECT: **ZON04-00118:**
Parcel II: Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, and the
Westerly 12.5 Feet of Lot 26, Block 39, Franklin Heights Addition
(Lots requiring);
Parcel I: Lots 1 and 2, Block 39, Franklin Heights Addition (Lots
providing)

LOCATION: 1400 Wyoming (**District 8**)

PROPOSED USE: Off-site; Off-street parking

The City Plan Commission (CPC), on September 30, 2004 voted 5-0 to recommend **APPROVAL** of special permit ZON04-00118, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request the best interest, health, safety and welfare of the public in general; and that off-site, off-street parking is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

Attachment: Staff Report

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00118 TO SATISFY PARKING REQUIREMENTS FOR PARCEL II, DESCRIBED AS LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, AND THE WESTERLY 12.5 FEET OF LOT 26, BLOCK 39 FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL I, DESCRIBED AS LOTS 1 AND 2, BLOCK 39, FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1400 WYOMING AVENUE) PURSUANT TO SECTION 20.42.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Mark A. Tomlin**, has applied for a Special Permit under Section 20.42.040 of the El Paso Municipal Code to allow the off-site parking requirements of Section 20.64.170 to be satisfied off-site;

WHEREAS, the requirements of Section 20.64.170 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Parcel II, which is described as *Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, and the Westerly 12.5 Feet of Lot 26, Block 39 Franklin Heights Addition, El Paso, El Paso County, Texas* as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," is in a **C-4 (Commercial)** District which requires forty-eight (48) off-street parking spaces under Section 20.64.170 of the El Paso Municipal Code;

2. That the City Council hereby grants a Special Permit under Section 20.42.040 of the El Paso Municipal Code so that the off-street parking requirements described in Paragraph 1 of this Ordinance may be partially satisfied off-site (ten spaces) as described in Paragraph 3 of this Ordinance;

3. That Parcel I, which is described as *Lots 1 and 2, Block 39, Franklin Heights Addition, El Paso, El Paso County*, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," is located on a separate site from the property described in Paragraph 1 of this Ordinance;

4. That the City Council hereby grants a Special Permit under Section 20.42.040 so that the property described in Paragraph 3 of this Ordinance may be used as off-site off-street parking in order to partially satisfy the parking requirements described in Paragraph 1 of this Ordinance;

5. That the Applicant shall pave the existing abutting alley between Parcel I and Parcel II the entire length of Parcel II once following approval of this special we permit and before a certificate of occupancy is issued.

6. That this Special Permit is issued subject to the development standards in the **C-4 (Commercial)** District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

7. That if at any time the off-street parking spaces described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00118**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

8. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of November, 2004.

THE CITY OF EL PASO

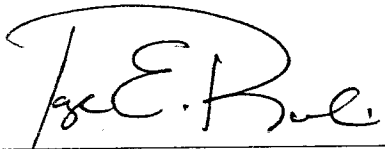
Joe Wardy, Mayor

(Signatures continued on following page)

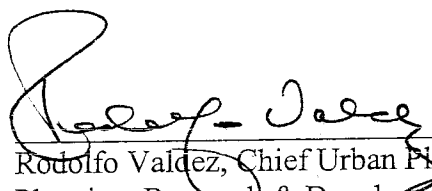
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:




Jorge E. Rousselin, Urban Planner
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson,
Assistant City Attorney

10/05/04

ORDINANCE NO. _____

Zoning Case No. ZON04-00118

AGREEMENT

Mark A. Tomlin, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 6th day of October, 2004.

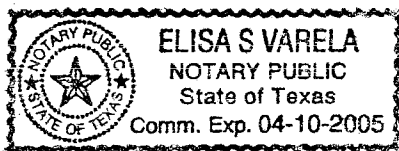
By: [Signature]
Mark A. Tomlin

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 6 day of October, 2004, by **Mark A. Tomlin**, as Applicant.

My Commission Expires:



[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
ELISA S. VARELA

10/05/04

ORDINANCE NO. _____

Zoning Case No. ZON04-00118

STAFF REPORT

Special Use Permit #: ZON04-00118

Property Owner(s): Mark Tomlin

Applicant(s): DaVita Inc.

Representative(s): Banes General Contractor

Legal Description: Lots 1 & 2, Block 39, Franklin Heights

Location: 1400 Wyoming

Representative District: # 8

Area: Parcel II: 0.551 Acres (24,001.56 sq. ft.) Lot requiring
Parcel I: 0.1033 Acres (4,499.748 sq. ft.) Lot
providing

Zoning: C-4 (Commercial)

Existing Use: Parcel II: Therapeutic Service Facility – Dialysis
Center
Parcel I: Off-site; off-street parking

Proposed Use: Off-site; off-street parking

Surrounding Land Uses:

North -	C-4 (Commercial) / Residences
South -	C-4 (Commercial) / I-10
East -	C-4 (Commercial) / Residences
West-	C-4 (Commercial) / Warehouse

Year 2025 Designation: **Mixed Use** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, September 30, 2004
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON04-00118

General Information:

The applicant is requesting a special permit to allow for off-site, off-street parking which will serve a proposed Therapeutic Service Facility -- Dialysis Center. The property is currently zoned C-4 (Commercial). The site is currently a residence and is 0.138 acres in size. The proposed site plan shows a proposed parking lot to be located on the site providing twelve (12) additional parking spaces. Access is proposed via Wyoming Ave. and the alley off Newman St. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received one (1) phone call for information on the application and no letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this special permit request with the following condition(s).

“That the property owner pave the existing alley abutting the entire length of Parcel II prior to the issuance of building permits.”

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the **Central** Planning Area designates this property for **Mixed-Use** land uses.

C-4 (Commercial) zoning permits off-site, off-street parking by special permit.

The Commission must determine the following:

- A. Will the special permit for off-site, off-street parking protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department, Zoning Division Notes:

- Setbacks and parking meet code, BP&I recommends approval

Engineering, Construction Division Notes:

- See enclosure 1

Engineering, Traffic Division Notes:

- See enclosure 2

Fire Department Notes:

- Proposed special permit does not adversely affect Fire Department.

El Paso Water Utilities Notes:

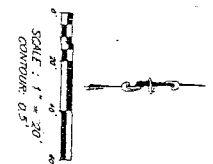
- No comments

Planning, Research and Development Department Notes:

- Recommendation for approval subject to the property owner paving the existing alley abutting the entire length of Parcel 1 prior to the issuance of building permits

ATTACHMENT: Location Map; Site Plan; Department comments.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY
REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT
THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS
CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT
(915) 541-4056.

[illegible][illegible][illegible][illegible][illegible]

The diagram illustrates a vertical cross-section of a building's exterior wall and roofline. From left to right, the components are:

- Roofing:** A sloped section at the top labeled "FLAT ROOFING".
- Insulation:** A thick layer below the roofing, indicated by a dashed line and labeled "INSULATION".
- Structural Wall:** The main body of the wall, shown with horizontal hatching.
- Interior Finish:** A thin layer on the inner side of the structural wall, labeled "INTERIOR FINISH".
- Exterior Finish:** A textured outer layer on the right side, labeled "EXTERIOR FINISH".
- Foundation:** The base of the wall where it meets the ground, labeled "FOUNDATION".
- Ground Level:** Indicated by a horizontal line at the bottom, labeled "GROUND LEVEL".

PALMBO AREA	\$30 SF (STORAGE)
	1509 SF (OFFICE)
	8050 SF (CLIMATE)
C-4	
16 SPACES	
4 EXISTING PARKING SPACES	
4 NEW PARKING SPACES	
5 TOTAL EXISTING & H.C. SPACES	
ZONE	
RECORDED	
PARKING SPACES AVAILABLE	
PARKING SPACES AVAILABLE	

Hand-drawn sketch of a mechanical assembly. The drawing shows a cross-section of a component with several dimensions and labels. At the top, a dimension of 1.75 is indicated. Below this, a dimension of 1.00 is shown. A label 'A' is placed near a horizontal line. To the right, a dimension of 1.00 is shown. Below this, a dimension of 1.00 is shown. A label 'B' is placed near a horizontal line. At the bottom, a dimension of 1.00 is shown. A label 'C' is placed near a horizontal line. The drawing is oriented vertically on the page.

[illegible]

Walt: 15, 16, 17

AREA

2. IN ACCORDANCE WITH PART 4.2.1 OF THE "CICD OFICIAL PAPER" (1990), THE CONSTRUCTION OF THE "CICD OFICIAL PAPER" IS THE

LOIS 1, 2, 17, 18, 19, 20, 21, 22,
23 & 24, 25 AND THE MATHEMATICALLY
PROOF FILE OF LOT 24, BEFORE 38,
FRANKLIN BRIGGS AND/OR
EL PASO EL PASO COUNTY, TEXAS

NOTES

[illegible]

BE
CO
FIELD
UNDERC
IN

(915)	343-3720
(945)	346-8244
(915)	594-3127
(915)	858-1446
(800)	343-1122
(915)	779-1123
(915)	544-4300
(800)	888-5177
(306)	365-3288
(800)	273-0529

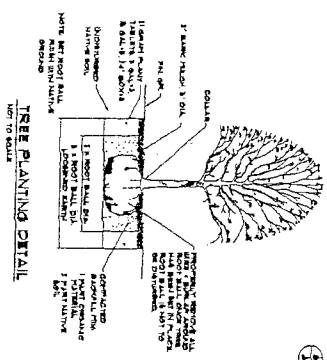
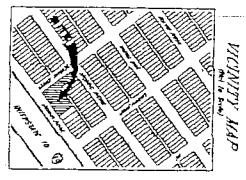
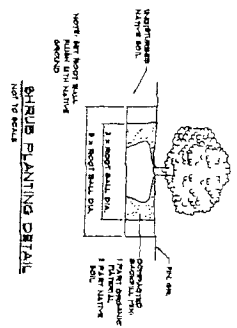
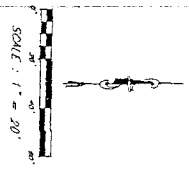
1950 ELECTRIC COMPANY
 1950 ENERGY CORPORATION
 1950 WATER UTILITIES
 1950 VALLEY WATER DISTRICT
 1950 WISCONSIN
 1950 WYOMING
 1950 YUKON CABLE
 1950 YUKON CANYON COMPANY
 1950 YUKON BELL TELEPHONE
 1950 YUKON VALLEY
 1950 YUKON TELEPHONE

5045 NORTH 12TH STREET, SUITE 111, PHOENIX, ARIZONA 85014 (602) 277-1187 FAX (602) 277-9879

DRAWN _____ S.F.P.
 CHECKED _____ S.F.P.
 JOB NO. 2004-04
 DATE AUGUST 3, 2005

REVISIONS

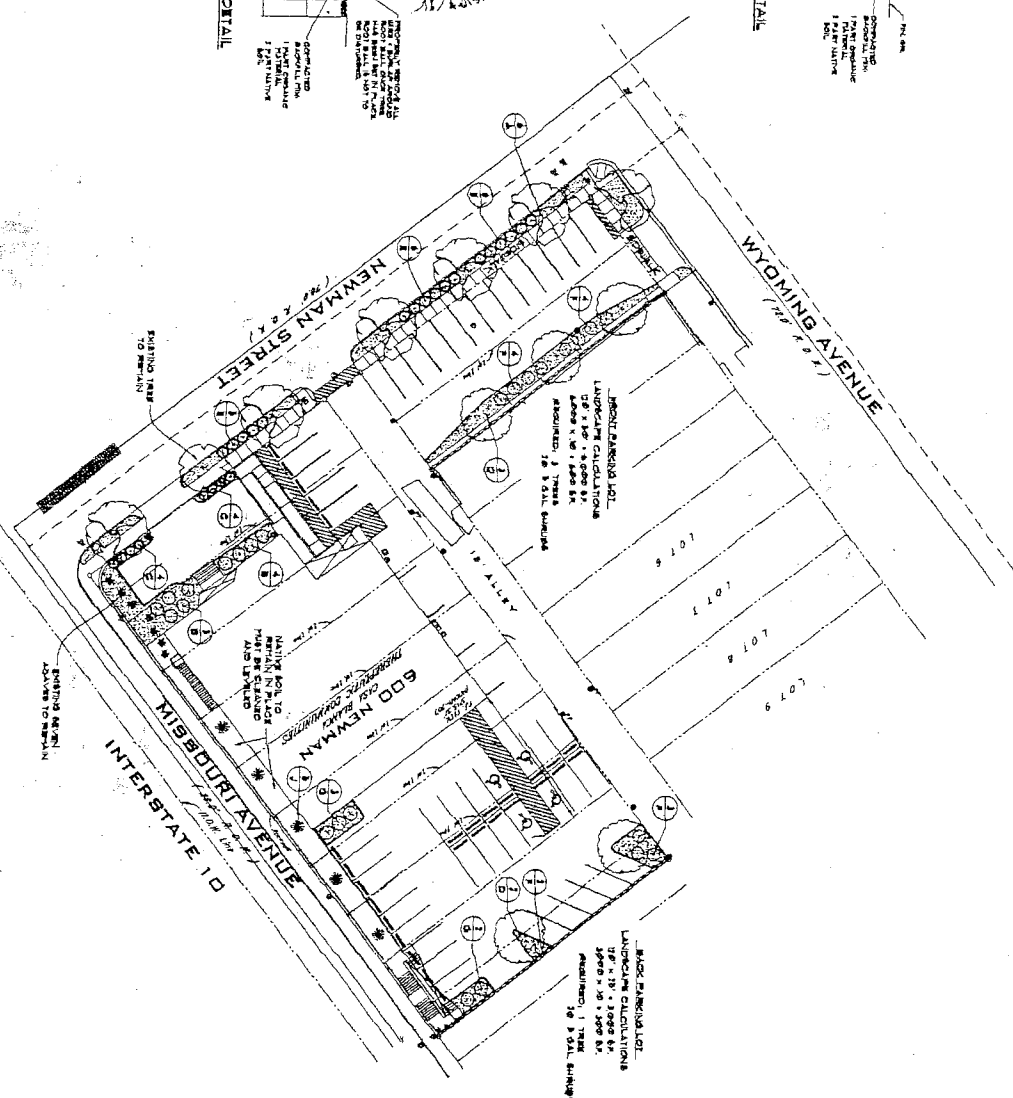




LEGAL DESCRIPTION
 LOTS 1, 2, 12, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LANDSCAPE PLAN

KEY	COMMON NAME	BOTANICAL NAME	SIZE & DESCRIPTION
1	COLEA	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
2	TEXAS BLUE	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
3	LONG TULIP	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
4	CHERRY PINE	Prunella americana	1' DIA. @ 1' HGT. 1' B.
5	WHITE PINE	Pinus strobus	1' DIA. @ 1' HGT. 1' B.
6	GREEN GLO	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
7	WAXY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
8	CHERRY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
9	CHERRY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
10	CHERRY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
11	CHERRY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.
12	CHERRY BARK	Yucca glauca	1' DIA. @ 1' HGT. 1' B.



Engineering Department
DEVELOPMENT DIVISION
COMMENTS

TO: PLANNING DEPARTMENT

DATE: September 13, 2004

FROM: ENGINEERING DEPARTMENT

ADDRESS: 1400 Wyoming St.

ATTN: Kimberly Forsyth, Fred Lopez,
or Jorge Rousellin, Urban Planners

PROPOSED USE: Therapeutic Services

CASE NO.: ZON04-00118

ZONE: C-4, C-4

REQUEST: Special Use Permit review – Off-site Parking

LEGAL DESCRIPTION: Lots 1 & 2, Blk 39, Franklin Heights

- ☐ 1. No comments
- ☐ 2. Must be submitted as a subdivision
- ☒ 3. Sidewalks will be required,
- ☒ 4. Grading plan and permit required.
- ☒ 5. Storm Water Pollution Prevention details required.
- ☐ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer
- ☐ 8. On site ponding will be required.
- ☐ 9. Private pond is required.
- ☐ 10. No water runoff allowed unto _____.
- ☐ 11. Additional R.O.W. required.
- ☒ 12. Additional Comments: Site location is not located within the Special Flood Hazard Area. Zone C, Panel 39 B.

Bashar Abugalyon, P. E.
Chief Development Engineer

DISTRICT: 8

HME

DHCC Action:

Approved. _____/_____/_____

W/ Modification(s) _____

Denied _____/_____/_____ Reason _____

Tabled _____/_____/_____ Until _____/_____/_____ Week(s)

No. Times Tabled _____, _____, _____, _____, _____, _____, _____



ENGINEERING DEPARTMENT

Traffic Division
memorandum

TO: Fred Lopez, Planner II
Kimberly Forsyth, Planner II
Planning Department

FROM: Traffic Division

DATE: September 13, 2004

SUBJECT: ZON04 – 00118 1400 Wyoming
Therapeutic Services

Regarding the above referenced DCC item, the Traffic Division has the following comments:

- Alley shall be paved.
- No parking shall be allowed on alley.
- Sidewalks shall comply with City's Ordinance

Should your office or the applicant have any questions or comments regarding these issues, please contact Rudy Pino or Margarita Molina, at 541-4223.

September 30, 2004

City Plan Commission
C/O Planning, Research and Development
2nd Floor, City Hall
Civic Center Plaza
El Paso, TX 79901

ATTN: Jorge E. Rousselin, Urban Planner

RE: ZON04-00118 DATE: September 30, 2004 TIME: 1:30 P.M. PLACE: 2 Civic Center.

Dear Sir:

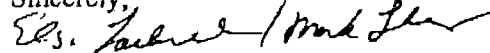
My name is Elsa Locbell and my fiancé, Mark Lehrer, and I live at 1409 Wyoming Avenue. My house is the second house across the street from the proposed offsite/off street parking. Due to our work schedules, my fiancé and I are unable to attend today's meeting. However, I am faxing you this letter to address our concerns regarding the parking for the proposed Therapeutic Center.

Ever since the house at 1400 Wyoming was demolished, the noise from the freeway has increased considerably. The demolished house served as a small barrier to the noise. Our concerns are the following:

1. How is the offsite/off street parking going to affect the traffic flow on Wyoming and Newman Streets? Will there be heavy traffic?
2. Will there be a main entrance/exit on the parking lot or will the cars have access to enter the parking lot on both sides of Wyoming and Newman streets?
3. Will the parking lot be closed during non-working hours and what is the possibility that the parking lot will be used by other people during non-working hours when the Therapeutic Center is closed?
4. Will there be a wall facing Wyoming Avenue to diminish the traffic noise at least?
5. Will there be any landscaping to complement the neighborhood and minimize the austerity associated with a parking lot?

While Mark and I regret that we cannot attend the meeting this afternoon, we hope that you take into consideration our concerns.

Sincerely,



Elsa Locbell and Mark Lehrer

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00118 TO SATISFY PARKING REQUIREMENTS FOR PARCEL II, DESCRIBED AS LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, AND THE WESTERLY 12.5 FEET OF LOT 26, BLOCK 39 FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL I, DESCRIBED AS LOTS 1 AND 2, BLOCK 39, FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1400 WYOMING AVENUE) PURSUANT TO SECTION 20.42.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Mark A. Tomlin**, has applied for a Special Permit under Section 20.42.040 of the El Paso Municipal Code to allow the off-site parking requirements of Section 20.64.170 to be satisfied off-site;

WHEREAS, the requirements of Section 20.64.170 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Parcel II, which is described as *Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, and the Westerly 12.5 Feet of Lot 26, Block 39 Franklin Heights Addition, El Paso, El Paso County, Texas* as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," is in a **C-4 (Commercial)** District which requires forty-eight (48) off-street parking spaces under Section 20.64.170 of the El Paso Municipal Code;

2. That the City Council hereby grants a Special Permit under Section 20.42.040 of the El Paso Municipal Code so that the off-street parking requirements described in Paragraph 1 of this Ordinance may be partially satisfied off-site (ten spaces) as described in Paragraph 3 of this Ordinance;

3. That Parcel I, which is described as *Lots 1 and 2, Block 39, Franklin Heights Addition, El Paso, El Paso County*, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A," is located on a separate site from the property described in Paragraph 1 of this Ordinance;

4. That the City Council hereby grants a Special Permit under Section 20.42.040 so that the property described in Paragraph 3 of this Ordinance may be used as off-site off-street parking in order to partially satisfy the parking requirements described in Paragraph 1 of this Ordinance;

5. That the Applicant shall pave the existing abutting alley between Parcel I and Parcel II the entire length of Parcel II once following approval of this special we permit and before a certificate of occupancy is issued.

6. That this Special Permit is issued subject to the development standards in the **C-4 (Commercial)** District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

7. That if at any time the off-street parking spaces described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00118**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

8. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of **November, 2004**.

THE CITY OF EL PASO


Joe Wardy, Mayor

(Signatures continued on following page)

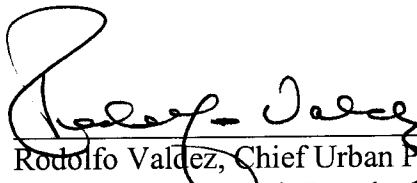
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:




Jorge E. Rousselin, Urban Planner
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson,
Assistant City Attorney

10/05/04

ORDINANCE NO. _____

Zoning Case No. ZON04-00118

AGREEMENT

Mark A. Tomlin, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the **C-4 (Commercial)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 6th day of October, 2004.

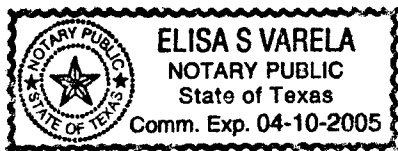
By: 
Mark A. Tomlin

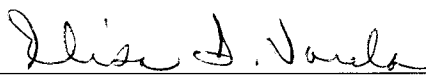
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 6 day of October, 2004, by **Mark A. Tomlin**, as Applicant.

My Commission Expires:




Notary Public, State of Texas
Notary's Printed or Typed Name:
ELISA S. VARELA

10/05/04

ORDINANCE NO. _____

Zoning Case No. ZON04-00118

METES & BOUNDS (PARCEL 1)

A 0.1377 acre parcel being all of Lots 1 and 2, Block 39, Franklin Heights Addition, El Paso County, Texas, and being more particularly described by metes and bounds as follows.

COMMENCING for reference at an existing City Monument lying at 10 feet north and 10 feet east of the centerline intersection of Wyoming Avenue (72.00 feet wide) and Brown Street (70.00 feet wide); WHENCE, an existing City Monument lying at 10 feet north and 10 feet east of the centerline intersection of said Wyoming Avenue and Noble Street (70.00 feet wide) bears South 52°23'00" West a distance of 470.00 feet; THENCE, North 52°23'00" East a distance of 495.00 feet to a point; THENCE, South 37°37'00" East a distance of 46.00 feet to a nail set in the southerly right-of-way line of said Wyoming Avenue and the easterly right-of-way line of Newman Street (70.00 feet wide) for a corner of this parcel and the POINT OF BEGINNING of this parcel description;

THENCE, North 52°23'00" East, with the southerly right-of-way line of said Wyoming Avenue, a distance of 50.00 feet to a nail set at a common corner of said Lot 2 and Lot 3, Block 39, Franklin Heights Addition, as conveyed to Jose M. and Silvia J. Tagle, as recorded in Volume 3692, Page 0101, Deed Records, El Paso County, Texas, for a corner of this parcel;

THENCE, South 37°37'00" East, with the common boundary line of said Lots 2 and 3, a distance of 120.00 feet to a 5/8" rebar with cap stamped "TX5710" set in the northerly boundary line of an existing 18.00 feet wide alley for a corner of this parcel;

THENCE, South 52°23'00" West, with said northerly boundary line, a distance of 50.00 feet to a 5/8" rebar with cap stamped "TX5710" set in the easterly right-of-way line of said Newman Street for a corner of this parcel;

THENCE, North 37°37'00" West, with said easterly right-of-way line, a distance of 120.00 feet to the TRUE POINT OF BEGINNING.

Said Parcel contains 0.1377 acres (6,000 square feet) more or less.

METES & BOUNDS (PARCEL 2)

A 0.5510 acre parcel being all of Lots 17, 18, 19, 20, 21, 22, 23, 24, 25 and the westerly 12.50 feet of Lot 26, Block 39, Franklin Heights Addition, El Paso County, Texas, and being more particularly described by metes and bounds as follows.

COMMENCING for reference at an existing City Monument lying at 10 feet north and 10 feet east of the centerline intersection of Wyoming Avenue (72.00 feet wide) and Brown Street (70.00 feet wide); WHENCE, an existing City Monument lying at 10 feet north and 10 feet east of the centerline intersection of said Wyoming Avenue and Noble Street (70.00 feet wide) bears South 52°23'00" West a distance of 470.00 feet; THENCE, North 52°23'00" East a distance of 495.00 feet to a point; THENCE, South 37°37'00" East a distance of 184.00 feet to a 5/8" rebar with cap stamped "TX5710" set in the easterly right-of-way line of Newman Street (70.00 feet wide) and the southerly boundary line of an existing 18.00 feet wide alley for a corner of this parcel and the POINT OF BEGINNING of this parcel description;

THENCE, North 52°23'00" East, with said southerly boundary line, a distance of 237.50 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" set for a corner of this parcel;

THENCE, South 37°37'00" East, a distance of 120.00 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" lying in the northerly right-of-way line of Missouri Avenue (26.00 feet wide) for a corner of this parcel;

THENCE, South 52°23'00" West, with said northerly right-of-way line, a distance of 237.50 feet to a nail set in the easterly right-of-way line of said Newman Street for a corner of this parcel;

THENCE, North 37°37'00" West, with said easterly right-of-way line, a distance of 120.00 feet to the TRUE POINT OF BEGINNING.

Said Parcel contains 0.6543 acres (28,500 square feet) more or less.

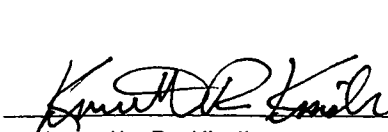

Kenneth R. Kindle
Registered Professional Land Surveyor
State of Texas
Date of Survey: May 26, 2004.
Job No. 04-01-19369



Exhibit "A"